

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
11 April 2002 (11.04.2002)

PCT

(10) International Publication Number
WO 02/29649 A2

(51) International Patent Classification⁷: **G06F 17/60** (74) Agent: JOHN & KERNICK; P.O. Box 3511, Halfway House, 1685 Midrand (ZA).

(21) International Application Number: PCT/IB01/01787

(22) International Filing Date:
28 September 2001 (28.09.2001)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
0024574.6 6 October 2000 (06.10.2000) GB

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(81) Designated States (national): AE, AG, AL, AM, AT, AU,
AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ,
DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR,
HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR,
LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ,
NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM,
TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM,
KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian
patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European
patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE,
IT, LU, MC, NL, PT, SE, TR), OAPI patent (BF, BJ, CF,
CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD,
TG).

Published:

— with declaration under Article 17(2)(a); without abstract;
title not checked by the International Searching Authority

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.



WO 02/29649 A2

(54) Title: DISTRIBUTION OF ADVERTISING REVENUE

(57) Abstract:

DISTRIBUTION OF ADVERTISING REVENUE10 **FIELD OF THE INVENTION**

This invention relates to a system for distributing advertising revenue and, more particularly, to a system for distributing revenue arising out of Internet advertising. The invention extends to a method of distributing advertising revenue derived 15 from Internet advertising.

The invention relates, further, to a method of disseminating an executable computer program to different workstations connected to a digital communication channel.

20

BACKGROUND TO THE INVENTION

The advent of open communication networks such as the Internet has provided the new medium for the dissemination of promotional material. It is well known 25 for Internet websites which are popular and widely visited by Internet users to be sought after by advertisers who wish to place promotional material such as "banners" on such websites in order to be visible to visitors to the websites.

An Internet banner advertisement may be activated by a visitor to the Website by 30 clicking thereon, thereby drawing related promotional material from a remote Web server for display at the visitors' workstation. Such an operation is referred to as a "click-through". Click-through operations are valuable for advertisers as they constitute evidence that their promotional material has been seen by a potential consumer of the advertiser's goods or services.

35

5 In an effort to promote the success of such advertising, advertisers are disposed to pay Internet users who view or click-through Internet banner advertisements belonging to such advertisers. This has led to an abusive practice by Internet users who use these viewings or click-through as a source of income, with detrimental effects for the advertisers.

10 It is desired to provide a method of distributing revenue from Internet advertising which is equitable and which does not promote abusive practices by Internet users.

15 It is known to distribute executable computer programs to users thereof by means of storage media such as magnetic or optical storage discs or the like. It is also known to distribute executable computer programs by means of downloading such programs from the Internet.

20 A disadvantage of these methods of distributing executable computer programs is that a computer user must first have knowledge of the existence of a computer program, and is then required to take a positive step in either acquiring the relevant storage media from a distributor of the program, or to actively download the program from an Internet website. These methods of distribution are 25 unnecessarily costly to set up and to operate.

OBJECT OF THE INVENTION

30 It is an object of this invention to provide a system and a method for distributing advertising revenue which will, at least partially, alleviate the above-mentioned difficulties and disadvantages.

35 It is a further object of this invention to provide a method of disseminating an executable computer program to different users thereof which will, at least partially, alleviate the abovementioned difficulties and disadvantages.

5 **SUMMARY OF THE INVENTION**

In accordance with this invention, there is provided a system for distributing advertising revenue, comprising:

10 a register of authorised users of the system;

10 a participation pool in which each authorised user of the system has an interest determined by that user's degree of use of the system;

transmission means for transmitting a message containing promotional material along a communication network from a sender to an intended recipient of the message;

15 validation means operable to determine whether or not each of the sender and the intended recipient are authorised users of the system;

detection means for detecting receipt of the message by the intended recipient; and

allocation means for adjusting the interest of the sender and the intended recipient in the participation pool upon detection of receipt of the message by the intended recipient.

25 Further features of the invention provide for the register to also record an introduction hierarchy of authorised users which caused the sender of the message to become an authorised user of the system, for the introduction hierarchy to record at least five levels of introduction, for each of the users in the introduction hierarchy to also have an interest in the participation pool, and for the participation pool to also have an unallocated interest therein which does not relate to any of the authorised users of the system.

30 Still further features of the invention provide for the interest of each authorised user of the system in the participation pool, as well as the unallocated interest therein, to be expressed as a number of points, for the points relating to the message transmitted by the sender to the intended recipient to total 95, for the

5 95 points to be allocated as 32 points to the sender, 32 points to the intended recipient, and the remaining 31 points to the introduction hierarchy, and for the 31 points to be allocated to the authorised users in the introduction hierarchy as 16, 8, 4, 2, 1 from the first to the 5th levels of the introduction hierarchy, respectively.

10 Yet further features of the invention provide for the points of the sender or the intended recipient to be credited to the unallocated interest in the participation pool when the sender or intended recipient are not authorised users of the system, respectively, for the points of any level of the introduction hierarchy which is not recorded in the register to also be credited to the unallocated interest in the participation pool, for funds received for the dissemination of the promotional material in the message to be distributed amongst the authorised users of the system in accordance with the users' interest in the participation pool, and for the distribution of funds corresponding to the unallocated interest in the participation pool to be donated to a charitable institution.

15 20 There is also provided for each authorised user of the system to nominate a charitable institution of the user's choice, for each authorised user's nominated charitable institution to be recorded in the register, and for the funds to be distributed to each authorised user in accordance with that user's interest in the participation pool to be donated to that user's nominated charitable institution instead.

25 30 There is further provided for the message to be an e-mail message, for the promotional material to be at least one Internet advertisement, for the communication network to be an open communication network, for the open communication network to be the Internet, for the register of authorised users to be a database, and for the database to be stored on a server.

35 The invention extends to a method for distributing advertising revenue comprising the steps of:

5 providing a register of users authorised to participate in the distribution of revenue;

providing a participation pool in which each authorised user has an interest;

transmitting a message containing promotional material along a communication network from a sender to an intended recipient of the message;

10 determining whether or not each of the sender and the intended recipient are authorised users;

detecting receipt of the message by the intended recipient; and

adjusting the interest of the sender and the intended recipient in the participation pool upon detection of receipt of the message by the intended recipient.

15 There is further provided for also recording an introduction hierarchy of authorised users which caused the sender of the message to become an authorised user, for recording at least five levels of introduction are recorded, for each of the users in the introductions hierarchy to also have an interest in the participation pool, and for the participation pool to also have an unallocated interest therein which does not relate to any of the authorised users of the system.

20

25 There is still further provided for expressing the interest of each authorised user of the system in the participation pool, as well as the unallocated interest therein, as a number of points, for the points relating to the message transmitted by the sender to the intended recipient to total 95, for allocating the 95 points as 32 points to the sender, 32 points to the intended recipient, and the remaining 31 points to the introduction hierarchy, and for allocating the 31 points to the authorised users in the introduction hierarchy as 16, 8, 4, 2, 1 from the first to the 5th levels of the introduction hierarchy, respectively.

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35 There is yet further provided for crediting the points of the sender or the intended recipient to the unallocated interest in the participation pool when the sender or the intended recipient are not authorised users of the system, respectively, for

5 also crediting the points of any level of the introduction hierarchy which is not recorded in the register are credited to the unallocated interest in the participation pool, for distributing funds received for the dissemination of the promotional material in the message amongst the authorised users of the system in accordance with the users interest in the participation pool, and for donating the
10 distribution of funds corresponding to the unallocated interest in the participation pool to a charitable institution.

15 There is also provided for each authorised user of the system to nominate a charitable institution of the users choice, for each authorised users nominated charitable institution to be recorded in the register, and for the funds to be distributed to each authorised user in accordance with that users interest in the participation pool to be donated to that users nominated charitable institution instead.

20 There is further provided for the message to be an e-mail message, for the promotional material to be at least one Internet banner advertisement, for the communication network to be an open communication network, for the open communication network to be the Internet, for the register of authorised users to be a database, and for the database to be stored on a server.

25 The invention extends still further to a method of disseminating an executable computer program to different users thereof, comprising the steps of:
30 transmitting a message from a sender to an intended recipient along the digital communication channel, the message being associated with the executable computer program;
notifying the intended recipient, upon receipt of the message, of the existence of the executable computer program; and
selectively onwardly transmitting a substantially similar message to at least one other intended recipient.

5 Further features of the invention provide for the method to include the step of selectively retrieving and activating the executable computer program, for including the executable computer program as part of the message, for retrieving the executable computer program by extracting it from the message, alternatively for retrieving the executable computer program by downloading the program
10 along the digital communication channel.

Still further features of the invention provide for selectively onwardly transmitting the same message to a plurality of other intended users, for the message to be an e-mail message, for attaching the executable computer program to the e-mail
15 message, for the digital communication channel to be the Internet, and for downloading the executable computer program from a server on the Internet.

BRIEF DESCRIPTION OF THE DRAWINGS

20 One embodiment of the invention is described below, by way of example only, and with reference to the accompanying drawings in which:

Figure 1 is a schematic representation of a system for distributing advertising revenue according to the invention;
25 Figure 2 is a representation of an introduction hierarchy of the system of Figure 1; and
Figure 3 is a functional representation of the steps in a method for disseminating an executable computer program to different users thereof, according to the invention.

30

DETAILED DESCRIPTION OF THE INVENTION

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5 Referring to Figure 1, a system for distributing advertising revenue according to the invention is indicated generally by reference numeral (1).

10 The system (1) includes transmission means in the form of a sending workstation (2) operable by a sender to transmit an e-mail message (3) to an intended recipient at a receiving workstation (4). The sending workstation (2) and the receiving workstation (4) are connected to an open communication network in the form of the Internet (5). For convenience, the communication network (5) is shown in dotted lines in Figure 1, while different messages transmitted along the communication network are represented by arrows.

15 It is an essential aspect of this invention that the e-mail message (3) contain one or more references to promotional material therein in the form of one or more types of Internet advertising such as, for example, banner advertisements. The references are Hypertext Mark-up Language references to the promotional 20 material which is requested at the time the e-mail message (3) is read by the intended recipient.

25 The system (1) also includes a register (6) of authorised, or registered, users of the system (1). The register (6) of authorised users of the system (1) is a database which is accessible through an Internet server (7). The database (6) also includes an introduction hierarchy of authorised users which caused the sender of the message to become an authorised user of the system (1). Turning 30 now to Figure 2, the introduction hierarchy is represented in detail. The introduction hierarchy records at least five levels of introduction of the sender indicated by the reference numerals 11 to 15, with the former being the first, or most direct, level of introduction.

35 The receiving workstation (4) includes detection means in the form of an e-mail application program which is loadable and executable on the receiving

5 workstation. The e-mail application program detects opening of the received e-mail message (3) which has been received from the sending workstation (2). When opening of the received e-mail message (3) is detected, the receiving workstation is caused to transmit a Hypertext Transfer Protocol (HTTP) message (11) to the Internet Web server (7). The HTTP message (11) contains unique
10 identifiers, preferably in the form of cookies, corresponding to the sending (2) and receiving workstations (4). The sender is identified by insertion of a corresponding cookie e-mail message (3) together with the HTML references to the promotional material. It will be appreciated by those skilled in the art that the only way for a cookie to be present on the receiving workstation (4) is for the
15 intended recipient of the e-mail message (3) to have previously accessed the Internet server (7). This can either be done in the form of a previous advert viewing, or by purposely accessing the website to register as an authorised user of the system (1). When visiting the Web server (7) for a first time, no cookie will be present on the receiving workstation (4). In such an instance, the HTTP
20 message (11) will not contain a unique identifier for the receiving workstation (4) as described above.

Upon receiving the HTPP message (11), validation means (not shown) on the Internet Web server (7) accesses the database (6) and the cookies are compared
25 against the register of authorised users of the system (1) to determine whether or not the sender and intended recipients are authorised users of the system (1).

The database (6) includes a participation pool in which each authorised user of the system (1) has an interest determined by that users degree of use of the
30 system, and

Allocation means (not shown) for adjusting the interest of any authorised user of the system in the participation pool. Each of the users in the introduction hierarchy also have an interest in the participation pool. The participation pool also has an unallocated interest therein which does not relate to any of the
35 authorised users of the system. In this embodiment, the interest of each

5 authorised user of the system (1) in the participation pool, as well as the unallocated interest therein, is expressed as a number of points. The points relating to the e-mail message transmitted by the sender to the intended recipient totals 95, which are as 32 points to the sender, 32 points to the intended recipient, and the remaining 31 points allocated to the authorised users who are
10 members of the introduction hierarchy. These 31 points are allocated to the authorised users in the introduction hierarchy as 16, 8, 4, 2, 1 from the first (11) to the fifth (15) levels of the introduction hierarchy, respectively.

15 When the application program (10) detects opening of the received e-mail message (3) as described above, the allocation facility allocates 95 points in the manner described above. If the sender or the intended recipient is not an authorised user of the system (1) the corresponding 32 points of the sender or the intended recipient are credited to the unallocated interest in the participation pool. Similarly, the points relating to any level of the introduction hierarchy which
20 is not recorded in the database (6) are also credited to the unallocated interest in the participation pool.

25 When funds are received from any advertiser whose promotional material is disseminated in any e-mail messages carried by the digital communication network (5) in this manner, such funds are distributed amongst the authorised users of the system (1) in accordance with the users interest in the participation pool. It will be appreciated by those skilled in the art that this method provides an equitable distribution arising out of Internet advertising to all parties involved in the dissemination of such promotional material, namely the sender, the users
30 responsible for introducing the sender up to the fifth level, and the recipient of the promotional material.

5 It is an important aspect of this invention that any distribution of funds corresponding to the unallocated interest in the participation pool be donated to a charitable institution.

10 It will be further appreciated by those skilled in the art that the system (1) as described above can be conveniently employed as a charity fund-raising mechanism. In order to achieve this, each authorised user of the system (1) will be required to nominate a charitable institution of the users choice, and each authorised users nominated charitable institution to be recorded in the database (6). Funds to be distributed to each authorised user in accordance with that 15 users interest in the participation pool are then donated instead to that users nominated charitable institution.

20 Dissemination of the application program (10), which is an executable computer program, to different users thereof can be achieved by attaching the executable computer program as a file to the e-mail message (3) transmitted by the sender to the intended recipient. Upon receipt of the e-mail message (3), the intended recipient is notified of the existence of the executable computer program, and the recipient may then selectively retrieve and activate the executable computer program from the attachment file. The intended recipient is then presented with 25 an option of onwardly transmitting a substantially similar message with the attached executable file to one or more subsequent intended recipients. The subsequent intended recipients may be selected from the first recipients e-mail address list, either individually, or collectively.

30 It will be still further appreciated by those skilled in the art that dissemination of an executable computer program in this manner is similar to the dissemination of so-called "computer viruses", with the important distinction that retrieval, activation and dissemination of the executable computer program is voluntary at the discretion of the recipient.

5 Numerous modification are possible to this embodiment without departing from the scope of the invention. In particular, the communication network (5) may be a closed communication network, or an open communication network other than the Internet. Further, different schemes or arrangements may be used to determine the various authorised users interest in the participation pool. For
10 example, the introduction hierarchy may be recorded for fewer than five levels of introduction, and the number of points allocated per message read may be other than 95. Still further, the same concept can be used in conjunction with web-based e-mail arrangements such as those available through URLs Hotmail.com or Mail.com, and the invention is thus not limited to the exact application
15 described above. Yet further, the executable computer program may be retrieved by selectively downloading it from an Internet website instead of being extracted from a file attachment to the transmitted e-mail (3).

20 The invention therefore provides a system for equitably distributing revenue arising out of Internet advertising, either to the parties concerned, or to charitable institutions. The invention also provides a novel methodology for viral spreading of executable program files by means of e-mail messages.

5 **CLAIMS**

1. A system for distributing advertising revenue, comprising:
a register of authorised users of the system;
a participation pool in which each authorised user of the system has an interest determined by that user's degree of use of the system;
transmission means for transmitting a message containing promotional material along a communication network from a sender to an intended recipient of the message;
validation means operable to determine whether or not each of the sender and the intended recipient are authorised users of the system;
detection means for detecting receipt of the message by the intended recipient; and
allocation means for adjusting the interest of the sender and the intended recipient in the participation pool upon detection of receipt of the message by the intended recipient.
2. A system as claimed in claim 1 in which the register also records an introduction hierarchy of authorised users which caused the sender of the message to become an authorised user of the system.
- 25 3. A system as claimed in claim 2 in which the introduction hierarchy records at least five levels of introduction.
4. A system as claimed in either one of claims 2 or 3 in which each of the users in the introduction hierarchy also has an interest in the participation pool.
- 30 5. A system as claimed in any one of the preceding claims in which the participation pool also has an unallocated interest therein which does not relate to any of the authorised users of the system.

5

6. A system as claimed in claim 5 in which the interest of each authorised user of the system in the participation pool, as well as the unallocated interest therein, is expressed as a number of points.

10

7. A system as claimed in claim 6 in which the points relating to the message transmitted by the sender to the intended recipient totals 95.

15

8. A system as claimed in claim 7 in which the 95 points are allocated as 32 points to the sender, 32 points to the intended recipient, and the remaining 31 points to the introduction hierarchy.

9. A system as claimed in claim 8 in which the 31 points are allocated to the authorised users in the introduction hierarchy as 16, 8, 4, 2, 1 from the first to the 5th levels of the introduction hierarchy, respectively.

20

10. A system as claimed in either of claims 8 or 9 in which the points of the sender or the intended recipient are credited to the unallocated interest in the participation pool when the sender or intended recipient are not authorised users of the system, respectively.

25

11. A system as claimed in any one of claims 8 to 10 in which the points of any level of the introduction hierarchy which is not recorded in the register are also credited to the unallocated interest in the participation pool.

30

12. A system as claimed in any one of the preceding claims in which funds received for the dissemination of the promotional material in the message are distributed amongst the authorised users of the system in accordance with the users' interest in the participation pool.

35

5 13. A system as claimed in claim 5 in which the distribution of funds corresponding to the unallocated interest in the participation pool is donated to a charitable institution.

10 14. A system as claimed in any one of the preceding claims in which each authorised user of the system nominates a charitable institution of the user's choice.

15 15. A system as claimed in claim 14 in which each authorised user's nominated charitable institution is recorded in the register.

16. A system as claimed in claim 15 in which the funds to be distributed to each authorised user in accordance with that user's interest in the participation pool are donated to that user's nominated charitable institution instead.

20 17. A system as claimed in any one of the preceding claims in which the message is an e-mail message.

18. A system as claimed in any one of the preceding claims in which the promotional material is at least one Internet advertisement.

25 19. A system as claimed in any one of the preceding claims in which the communication network is an open communication network.

30 20. A system as claimed in claim 19 in which the open communication network is the Internet.

21. A system as claimed in any one of the preceding claims in which the register of authorised users is a database

5 22. A system as claimed in claim 21 in which the database is stored on a server.

10 23. A method for distributing advertising revenue comprising the steps of: providing a register of users authorised to participate in the distribution of revenue;

15 providing a participation pool in which each authorised user has an interest;

 transmitting a message containing promotional material along a communication network from a sender to an intended recipient of the message;

 determining whether or not each of the sender and the intended recipient are authorised users;

 detecting receipt of the message by the intended recipient; and

 adjusting the interest of the sender and the intended recipient in the participation pool upon detection of receipt of the message by the intended recipient.

20 24. A method as claimed in claim 23 which includes the step of also recording an introduction hierarchy of authorised users which caused the sender of the message to become an authorised user.

25 25. A method as claimed in claim 24 in which at least five levels of introduction are recorded

30 26. A method as claimed in either one of claims 24 or 25 in which each of the users in the introductions hierarchy also has an interest in the participation pool.

5 27. A method as claimed in any one of claims 23 or 26 in which the participation pool also has an unallocated interest therein which does not relate to any of the authorised users of the system.

10 28. A method as claimed in claim 27 in which the interest of each authorised user of the system in the participation pool, as well as the unallocated interest therein, is expressed as a number of points.

15 29. A method as claimed in claim 28 in which the points relating to the message transmitted by the sender to the intended recipient totals 95.

20 30. A method as claimed in claim 28 in which the 95 points are allocated as 32 points to the sender, 32 points to the intended recipient, and the remaining 31 points to the introduction hierarchy.

25 31. A method as claimed in claim 30 in which the 31 points are allocated to the authorised users in the introduction hierarchy as 16, 8, 4, 2, 1 from the first to the 5th levels of the introduction hierarchy, respectively.

30 32. A method as claimed in claim 27 in which the points of the sender or the intended recipient are credited to the unallocated interest in the participation pool when the sender or the intended recipient are not authorised users of the system, respectively.

35 33. A method as claimed in claim 27 in which the points of any level of the introduction hierarchy which is not recorded in the register are credited to the unallocated interest in the participation pool.

40 34. A method as claimed in any one of claim 23 to 33 in which funds received for the dissemination of the promotional material in the

5 message are distributed amongst the authorised users of the system in accordance with the users interest in the participation pool.

10 35. A method as claimed in claim 27 in which the distribution of funds corresponding to the unallocated interest in the participation pool are donated to a charitable institution.

15 36. A method as claimed in any one of claims 23 to 35 in which each authorised user of the system nominates a charitable institution of the users choice.

20 37. A method as claimed in claim 36 in which each authorised users nominated charitable institution is recorded in the register.

25 38. A method as claimed in claim 37 in which funds to be distributed to each authorised user in accordance with that users interest in the participation pool are donated to that users nominated charitable institution instead.

30 39. A method as claimed in any one of claims 23 to 38 in which the message is an e-mail message.

35 40. A method as claimed in any one of claims 23 to 39 in which the promotional material is at least one Internet banner advertisement.

40 41. A method as claimed in any one of claims 23 to 40 in which the communication network is an open communication network.

45 42. A method as claimed in claim 41 in which the open communication network is the Internet.

50 43. A method as claimed in any one of claims 23 to 42 in which the register of authorised users is a database.

5

44. A method as claimed in claim 43 in which the database to be stored on a server.

45. A method of disseminating an executable computer program to different users thereof, comprising the steps of:
transmitting a message from a sender to an intended recipient along the digital communication channel, the message being associated with the executable computer program;
notifying the intended recipient, upon receipt of the message, of the existence of the executable computer program; and
selectively onwardly transmitting a substantially similar message to at least one other intended recipient.

46. A method as claimed in claim 45 which includes the step of selectively retrieving and activating the executable computer program.

47. A method as claimed in either one of claims 45 or 46 in which the executable computer program is included as part of the message.

48. A method as claimed in claim 47 in which the executable computer program is retrieved by extracting it from the message.

49. A method as claimed in claim 47 in which the executable computer program is retrieved by downloading the program along the digital communication channel.

50. A method as claimed in any one of claims 45 to 49 in which the same message is selectively onwardly transmitted to a plurality of other intended users.

5 51. A method as claimed in any one of claims 45 to 50 in which the message is an e-mail message.

52. A method as claimed in claim 51 in which the executable computer program is attached to the e-mail message.

10 53. A method as claimed in any one of claims 45 to 52 in which the digital communication channel is the Internet.

15 54. A method as claimed in claim 49 in which the executable computer program is downloaded from a server on the Internet.

55. A system for distributing advertising revenue, substantially as herein described with reference to and as illustrated in the accompanying drawings.

20 56. A method for distributing advertising revenue, substantially as herein described with reference to and as illustrated in the accompanying drawings.

25 57. A for distributing an executable computer program to different users thereof, substantially as herein described with reference to and as illustrated in the accompanying drawings

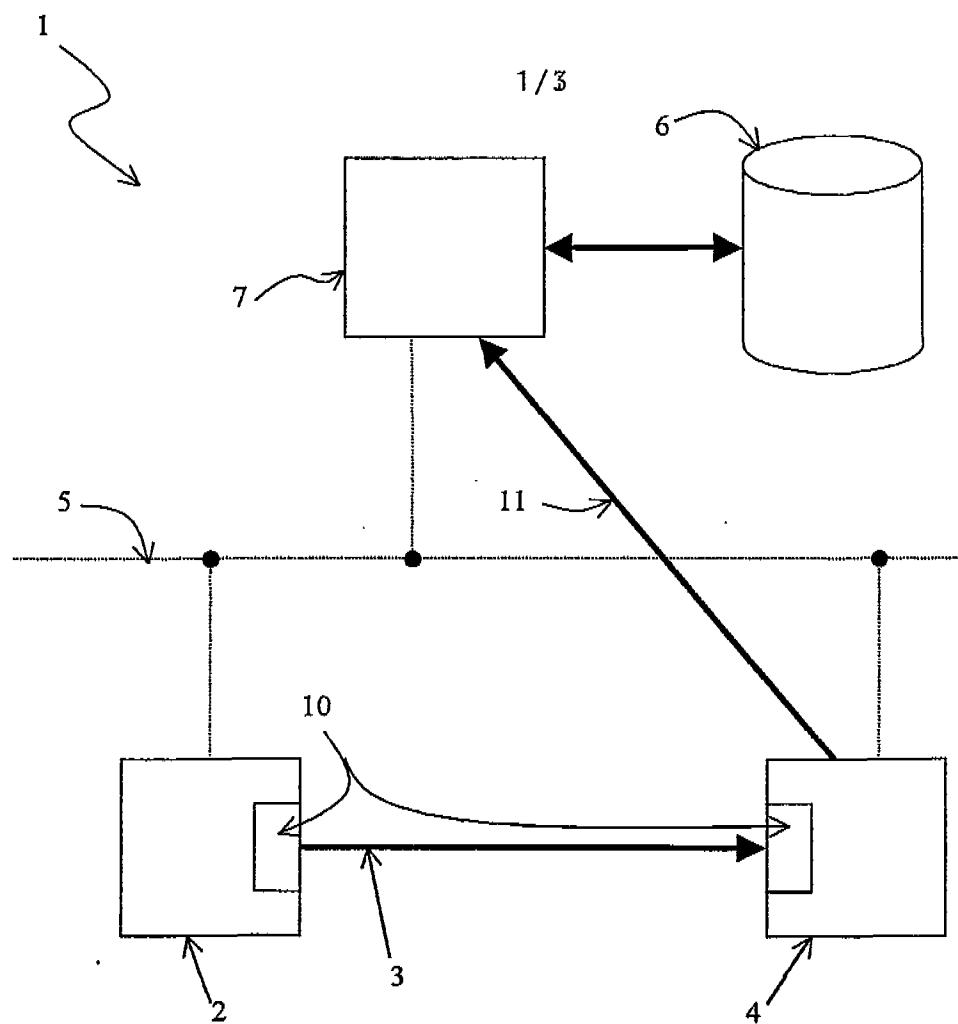


FIGURE 1

2 / 3

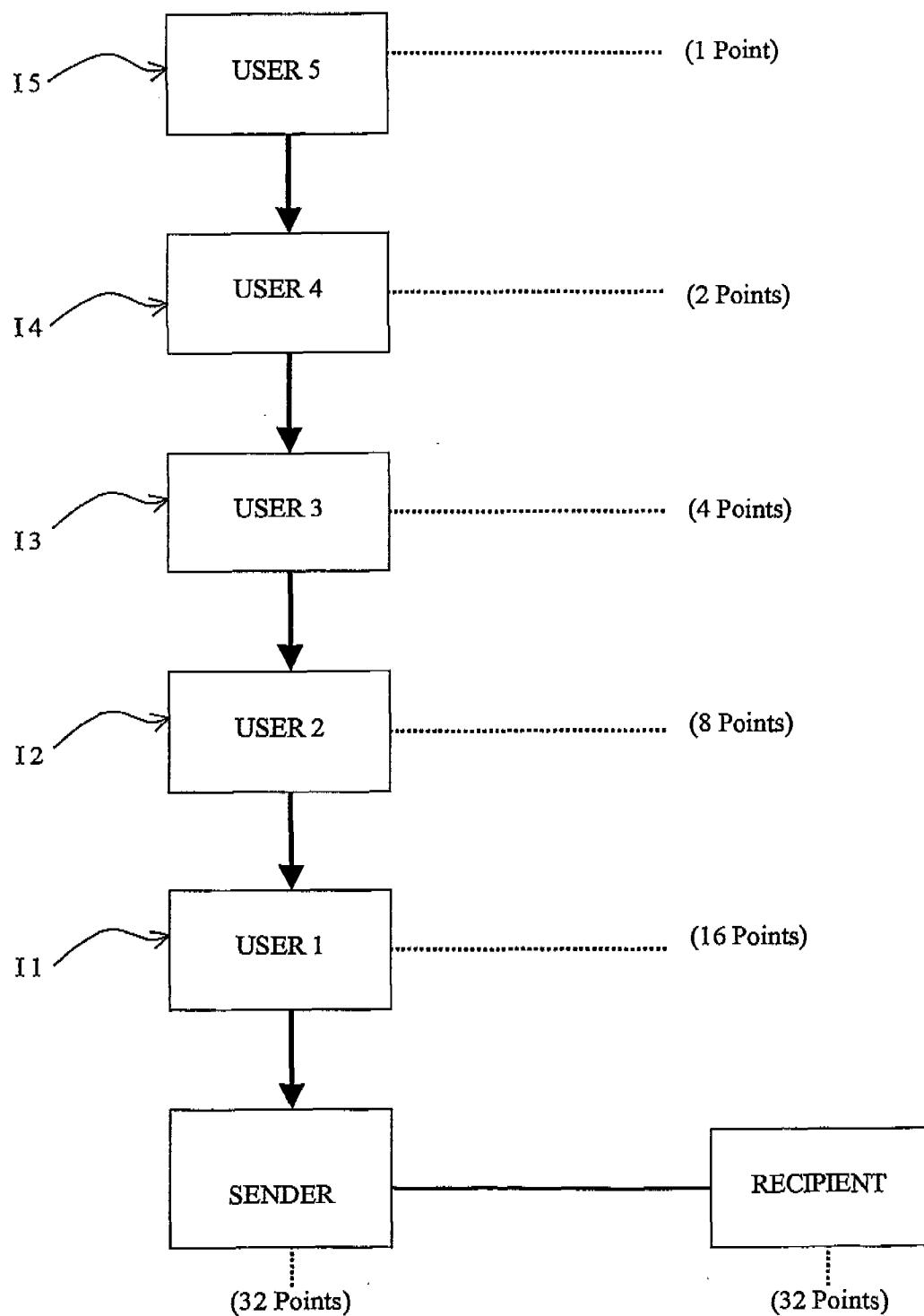


FIGURE 2

3/3

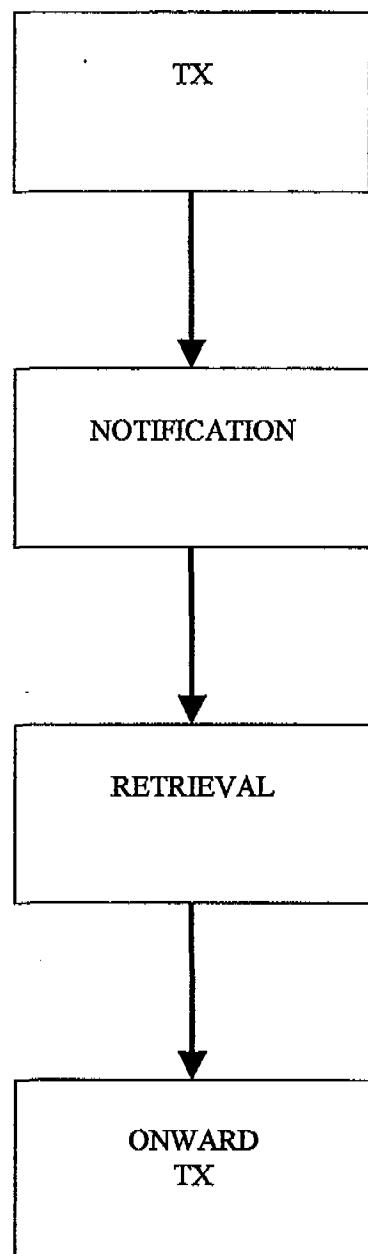


FIGURE 3

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference P14669PC00	IMPORTANT DECLARATION		Date of mailing (day/month/year) 26/11/2001
International application No. PCT/ IB 01/ 01787	International filing date (day/month/year) 28/09/2001	(Earliest) Priority date (day/month/year) 06/10/2000	
International Patent Classification (IPC) or both national classification and IPC GO6F17/80			
Applicant DUNEDIN LIMITED			

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below

1. The subject matter of the International application relates to:
 - a. scientific theories.
 - b. mathematical theories
 - c. plant varieties.
 - d. animal varieties.
 - e. essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. schemes, rules or methods of doing business.
 - g. schemes, rules or methods of performing purely mental acts.
 - h. schemes, rules or methods of playing games.
 - i. methods for treatment of the human body by surgery or therapy.
 - j. methods for treatment of the animal body by surgery or therapy.
 - k. diagnostic methods practised on the human or animal body.
 - l. mere presentations of information.
 - m. computer programs for which this International Searching Authority is not equipped to search prior art.
2. The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

the description the claims the drawings
3. The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

the written form has not been furnished or does not comply with the standard.
 the computer readable form has not been furnished or does not comply with the standard.
4. Further comments:

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Lucia Van Pinxteren
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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The claims relate to subject matter for which no search is required according to Rule 39 PCT. Given that the claims are formulated in terms of such subject matter or merely specify commonplace features relating to its technological implementation, the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome. Hence it was not possible to carry out a meaningful search into the state of the art (Art. 17(2)(a)(i) and (ii) PCT; see Guidelines Part B Chapter VIII, 1-6).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.